

## BOARD OF SCHOOL TRUSTEES

Mary Beth Scow, President  
 Terri Janison, Vice President  
 Carolyn Edwards, Clerk  
 Shirley Barber, Member  
 Ruth Johnson, Member  
 Larry P. Mason, Member  
 Sheila Moulton, Member

Dr. Walt Rulffes, Superintendent

August 5, 2008

Received & Inspected

AUG 7 - 2008

FCC Mail Room

Federal Communications Commission  
 Office of the Secretary  
 9300 East Hampton Drive  
 Capitol Heights, MD 20743

CC Docket No. 02-6

Applicant Name: Clark County School District  
 Applicant BEN: 143411  
 Application Form 471 Number: 550660  
 Funding request Number: 1549185  
 Service Provider Name: Cox Nevada Telecom, LLC  
 Service Provider Identification Number: 143017743

Gentlemen:

Clark County School District is appealing the Universal Service Administrative Company (USAC), Schools and Libraries Division (SLD) decision on March 12, 2008 of Form 471 Application # 550660 for the 2007 funding year. We included both our first appeal to USAC and the Administrator's Decision on Appeal letter with the supporting documentation provided with our appeal.

The description on the letter stated, "30% or more of this FRN includes a request for Fiber Service Lit by applicant owned modulating equipment which is an ineligible product(s)/service(s) based on program rules." We are requesting funding for fiber optic cable for its Wide Area Network (WAN), which is consistent with the overall networking plan developed and implemented based on SLD rules and regulations that were in effect for 2001.

CC Docket No. 96-45, page 33, under Dark Fiber (provided by service provider but "lit" by Applicant) states, "Service providers can lease fiber capacity that does not include modulating electronics to schools or libraries, if the applicant provides the electronics to modulate the fiber. The lease of such fiber cable for obtaining Telecommunications Services or Internet Access is eligible, if the applicant's electronics are located solely at eligible school or library sites, and if the conditions apply that are described under the heading "Wide Area Networking" in the relevant section."

Our request is for continued operation of the sites on the WAN previously approved by SLD, as well as new sites added due to the growth, and to enable the remaining sites to complete the network. Our Form 470 Application #587520000369774 was posted on the SLD E-rate Web site for the required 28 days, and we contracted with the lowest bidder for the most cost effective time period. An 11 year contract was created (with an option for two one year extensions) with Cox Nevada Telecomm which followed all SLD rules and regulations. We understand that USAC has subsequently changed its rules regarding Dark Fiber. We are asking that we be granted a grandfather provision for the USAC rules and regulations that were in effect when the application was approved and we created the contract with Cox Nevada Telecom.

No. of Copies rec'd 0  
 List ABCDE

The following are points to support our appeal request:

1. USAC has allowed the multi-year contract option which exempts from posting the Form 470 for the remaining years of the contract. The question that arises from allowing this exemption is should subsequent USAC policy changes affect the remainder of the life of the existing contract. We respectfully request to be grandfathered under the USAC regulations followed in the year the 470 was created.
2. We have expended over \$40 million of our scarce funds to develop and implement this high bandwidth network to support its telecommunications needs for the foreseeable future. Currently, it would be an unnecessary waste of valuable resources to end the existing contract.
3. The district uses 100% of the Leased Fiber Wide Area Network.
4. We purchased the modulating equipment since it was the most cost effective option. Had the modulating equipment been leased rather than purchased, the District would need to rely upon the vendor for its maintenance. We previously had an experience with a non-performing vendor who left the District without internet access for over two days. As the fifth largest school district in the country, we can not afford to be without communication services for any length of time.
5. The Wide Area Network cannot function without the leased fiber.

In summary, the District has always made good faith efforts to follow all e-rate guidelines and has based its procurement decisions upon published guidelines, eligibility lists, and previous SLD approvals. We struggle with a change of rules midstream which has the potential to cause substantial financial hardship at a time when the public is demanding increased fiscal responsibility and accountability.

Your thoughtful consideration of our appeal will be greatly appreciated.

If you have any questions or need additional information please contact, Kimberley Dauterive at 5100 W. Sahara Ave., Las Vegas, NV 89146-3406, fax number (702) 855-3114, e-mail address [kadauterive@interact.ccsd.net](mailto:kadauterive@interact.ccsd.net) or by phone at (702) 799-5452 extension 5234.

Sincerely,



Bill Sampson  
Budget Director



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2007-2008**

June 19, 2008

Bill Sampson  
Clark County School District  
5100 West Sahara Avenue  
Las Vegas, NV 89146

Re: Applicant Name: CLARK COUNTY SCHOOL DISTRICT  
Billed Entity Number: 143411  
Form 471 Application Number: 550660  
Funding Request Number(s): 1549185  
Your Correspondence Dated: April 17, 2008

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2007 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1549185  
Decision on Appeal: **Denied**  
Explanation:

- During the Appeal Review USAC thoroughly assessed the facts presented in the appeal letter, the relevant documentation on file, and the FCC Rules and Procedures before making its determination on your appeal. According to the documentation submitted as Item 21 attachments, Clark County School District sought discounts for the provision of Telecommunication services over leased dark fiber. Dark fiber refers to fiber optic cable for which the service provider has not provided modulating electronics. Unlit dark fiber service is ineligible for discounts. The documentation submitted in support of this funding request clearly states and you confirm in the appeal letter that the fiber is "lit" using district owned modulating equipment. In support of your appeal you contest that this application is an extension of applications USAC had previously approved for

other funding years. Since your appeal has not brought forth persuasive information that USAC has erred in its determination, your appeal is denied.

Your Form 471 application included costs for the following ineligible products and/or services: dark fiber service. FCC Rules provide that funding may be approved only for eligible products and services. 47 C.F.R. secs. 54.502, 54.503. The USAC website contains a list of eligible products and services. See the website, [www.usac.org/sl](http://www.usac.org/sl), Eligible Services List.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

April 17, 2008

Schools and Libraries Division – Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

Applicant Name: Clark County School District  
Applicant BEN: 143411  
Application Form 471 Number: 550660  
Service Provider Name: Cox Nevada Telecom, LLC  
Service Provider Identification Number: 143017743

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Dr. Walt Rulffes, Superintendent

Gentlemen:

The Clark County School District is appealing the Schools and Libraries Division (SLD) decision dated March 12, 2008 of our Form 471 Application #550660 for the 2007 funding year.

The description on the letter stated, "30% or more of this FRN includes a request for Fiber Service Lit by applicant owned modulating equipment which is an ineligible product(s)/service(s) based on program rules." We are requesting funding of fiber optic cable for its Wide Area Network (WAN), which is consistent with the overall networking plan developed and implemented based upon SLD rules and regulations that were in effect for 2001.

CC Docket No. 96-45, page 33, under Dark Fiber (provided by service provider but "lit" by Applicant) states, "Service providers can lease fiber capacity that does not include modulating electronics to schools or libraries, if the applicant provides the electronics to modulate the fiber. The lease of such fiber cable for obtaining Telecommunications Services or Internet Access is eligible, if the applicant's electronics are located solely at eligible school or library sites, and if the conditions apply that are described under the heading "Wide Area Networking" in the relevant section."

Our request is for continued operation of the sites on the WAN previously approved by SLD, as well as the new sites added due to growth, and to enable the remaining sites to complete the network. Our Form 470 funding request (Application #587520000369774) was posted on the SLD E-rate web site for the required 28 days, and we contracted with the lowest bidder for the most cost effective time period. An 11- year contract was created (with an option for two one-year extensions) with Cox Nevada Telecomm which followed all SLD rules and regulations. We understand that USAC has subsequently changed its rules regarding Dark Fiber. We are asking that we be granted a grandfather provision for the USAC rules and regulations that were in effect when the application was approved and created the contract with Cox Nevada Telecom.

The following are points to support our appeal request:

1. USAC has allowed the multi-year contract option which exempts from posting the Form 470 for the remaining years of the contract. The question that arises from allowing this exemption is should subsequent USAC policy changes affect the remainder of the life of

the existing contract. We respectfully request to be grandfathered under the USAC regulations followed in the year that the contract was created.

2. We have expended over \$40 million of our scarce funds to develop and implement this high bandwidth network to support its telecommunications needs for the foreseeable future. Currently, it would be an unnecessary waste of valuable resources to end the existing contract.
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5. Our WAN cannot function without the leased fiber.

In summary, the District has always made good faith efforts to follow all E-rate guidelines and has based its procurement decisions upon published guidelines, eligibility lists, and previous SLD approvals. We struggle with a change of rules in midstream which has the potential to cause substantial financial hardship at a time when our public is demanding increased fiscal responsibility and accountability.

Your thoughtful consideration of our appeal will be greatly appreciated.

If you have any questions or need additional information please contact, Kimberley Dauterive at 5100 W. Sahara Ave., Las Vegas, NV 89146-3406, fax number (702) 855-3114, e-mail address [kadauterive@interact.ccsd.net](mailto:kadauterive@interact.ccsd.net) or by phone at (702) 799-5452 extension 5234.

Sincerely,



Bill Sampson  
Budget Director

cc: Jeff Weiler  
Jim McIntosh

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2007: 07/01/2007 - 06/30/2008)

March 12, 2008

Kimberley Dauterive  
CLARK COUNTY SCHOOL DISTRICT  
5100 W. SAHARA AVE.  
LAS VEGAS, NV 89146-3406

Re: Form 471 Application Number: 550660  
Billed Entity Number (BEN): 143411  
Billed Entity FCC RN: 0011836822  
Applicant's Form Identifier: WAN-AY08

Thank you for your Funding Year 2007 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$1,854,673.85 is "Denied."

Please refer to the Report on the page following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 550660 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2007," AND
  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence

FUNDING COMMITMENT REPORT  
Billed Entity Name: CLARK COUNTY SCHOOL DISTRICT  
BEN: 143411  
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 550660  
Funding Request Number: 1549185  
Funding Status: Not Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 587520000369774  
SPIN: 143017743  
Service Provider Name: Cox Nevada Telcom, LLC  
Contract Number: 2037TRN  
Billing Account Number: 88291901  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2007  
Service End Date: N/A  
Contract Award Date: 01/15/2002  
Contract Expiration Date: 01/15/2013  
Shared Worksheet Number: 853939  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,091,123.08  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$3,091,123.08  
Discount Percentage Approved by the USAC: 60%  
Funding Commitment Decision: \$0.00 - Incl. svcs./ or product(s)  
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request for Fiber Service lit by applicant owned modulating equipment which is an ineligible product(s)/service(s) based on program rules.  
FCDL Date: 03/12/2008  
Wave Number: 041  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

470 Application Number:

Retrieved from SLD

Current status of form: NOT AVAILABLE

site: 06/01/2002 12:00:00 AM CST

FCC Form

Approval by OMB  
3060-0806**470****Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form**

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**

Form 470 Application Number: 587520000369774

Applicant's Form Identifier: 7-2002

Application Status: CERTIFIED

Posting Date: 10/10/2001

Allowable Contract Date: 11/07/2001

Certification Received Date: 10/12/2001

**1. Name of Applicant:**

CLARK COUNTY SCHOOL DISTRICT

**2. Funding Year:**

07/01/2002 - 06/30/2003

**3. Your Entity Number**

143411

**4a. Applicant's Street Address, P.O.Box, or Route Number**

2832 EAST FLAMINGO ROAD

City

LAS VEGAS

State

NV

Zip Code

89121-5205

**b. Telephone number**

ext.

(702) 799- 5417

320

**c. Fax number**

(702) 799- 0277

**d. E-mail Address**

chipper@nevada.edu

**5. Type Of Applicant**☐ Individual School (individual public or non-public school)☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)☐ Library (including library system, library branch, or library consortium applying as a library)☐ Consortium (intermediate service agencies, states, state networks, special consortia)**6a. Contact Person's Name:** Bruce DaleyFirst, fill in **every** item of the Contact Person's information below **that is different from Item 4, above.**

**Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)**

**6b. Street Address, P.O.Box, or Route Number**

☒ **2832 EAST FLAMINGO ROAD**

**City**

**LAS VEGAS**

**State**

**NV**

**Zip Code**

**89121-5205**

☒ **6c. Telephone Number (702) 799- 5417**

☒ **6d. Fax Number (702) 799- 0277**

☒ **6e. E-mail Address chipper@nevada.edu**

## Block 2: Summary Description of Needs or Services Requested

### 7 This Form 470 describes (check all that apply):

a. ☐ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☒ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

**NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.**

**What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.**

### 8 ☒ Telecommunications Services

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a. ☐ **YES**, I have an RFP. It is available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b. ☒ **NO**, I do not have an RFP for these services.

**If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.**

Service or Function:	Quantity and/or Capacity:
Point-To-Point fiber optic infrastructure to support the Clark County School District Wide Area Network to be leased from eligible telecommunications service provider that acts on a common carriage basis.	265 Schools, 23 Administration Offices, other sites. Numbers are approx. New schools projected are in addition to stated quantities for future years

**9 ☒ Internet Access****Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?****a ☒ YES**, I have an RFP. It is available on the Web at or via (check one):☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.**b ☒ NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internet Access services. Add additional lines if needed.

**Service or Function:****Quantity and/or Capacity:**

Point-to-Point fiber optic infrastructure to support the Clark County School District Wide Area Network to be leased from eligible telecommunications service provider that acts on a common carriage basis.

265 Schools, 23 Administration sites, other sites. Numbers are approx. New schools to be added in the future.

**10 ☐ Internal Connections****Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?****a ☒ YES**, I have an RFP. It is available on the Web at or via (check one):☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.**b ☒ NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections services. Add additional lines if needed.

**11 (Optional)** Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

**Name:**

Bruce Daley

**Title:**

Coordinator, Technology Development Serv

**Telephone number**

(702) 799 - 5417 extn: 320

**Fax number**

(702) 799 - 0277

**E-mail Address**

chipper@nevada.edu

**12. ☒** Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

**State of Nevada Revised Statutes, Clark County School District Rules and Regulations**

**13.** If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional

services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

**Over the next ten years, the CCSD anticipates the addition of approximately 10-12 new schools per year, which are included in this application**

### Block 3: Technology Assessment

**14. ☐ Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

**15.** Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

**a.** Desktop software: Software required ☐ has been purchased; and/or ☒ is being sought.

**b.** Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

**c.** Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☒ is being sought.

**d.** Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☒ are being sought.

**e.** Staff development: ☐ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☒ training is being sought.

**f.** Additional details: Use this space to provide additional details to help providers to identify the services you desire.

**Purpose of this application is for point to point fiber optic infrastructure to support the Clark County School District Wide Area Network. The network shall interconnect as many schools as possible. RFP will be available in the near future. Services must be from an eligible telecommunications carrier acting on a common carriage basis. Contract will be awarded in multiple phases. Further information can be obtained by contacting Bruce Daley, Clark County School District, 2832 East Flamingo Road, Las Vegas, NV 89121.**

### Block 4: Recipients of Service

#### 16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

**a. ☒ Individual school or single-site library.**

**b. ☒ Statewide application for (enter 2-letter state code) NV representing (check all that apply):**

- ☐ All public schools/districts in the state:
- ☐ All non-public schools in the state:
- ☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	280
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
702	346, 394, 397, 398, 799, 864, 865
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

#### 17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
CLARK COUNTY SCHOOL DISTRICT	143411

#### 18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix
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#### Block 5: Certification and Signature

#### 19. The applicant includes:(Check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☒ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

#### 20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☒ higher-level technology plans for using the services requested in the application, or

c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

**21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):**

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.  
b. ☐ technology plan(s) will be approved by a state or other authorized body.  
c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

**22. ☒** I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

**23. ☒** I recognize that support under this support mechanism is conditional upon the school(s) or library (ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

**24. ☒** I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

**25. Signature of authorized person:** ☒

**26. Date (mm/dd/yyyy):** 10/10/2001

**27. Printed name of authorized person:** Walt Rullfes

**28. Title or position of authorized person:** Deputy Superintendent

**29a. Address of authorized person:**  
City: State: Zip:

**29b. Telephone number of authorized person:** (702) 799 - 5445

**29c. Fax number of authorized person:** ()

**29d. E-mail address number of authorized person:**

**Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.**

**Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at [www.sl.universalservice.org/vendor/manual/chapter5.doc](http://www.sl.universalservice.org/vendor/manual/chapter5.doc) or call the Client Service Bureau at 1-888-203-8100.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026  
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 470  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
1-888-203-8100**

FCC Form 470  
May 2003